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HOUSE BILL 408

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Brian K. Moore

AN ACT

**RELATING TO RETIREMENT; PERMITTING RETIRED VOLUNTEER
FIREFIGHTERS WHO RECEIVE BENEFITS PURSUANT TO THE VOLUNTEER
FIREFIGHTERS RETIREMENT ACT TO ALSO RECEIVE BENEFITS PURSUANT
TO OTHER RETIREMENT PLANS ESTABLISHED BY THE STATE OR ITS
POLITICAL SUBDIVISIONS.**

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

**Section 1. Section 10-11A-2 NMSA 1978 (being Laws 1983,
Chapter 263, Section 2) is amended to read:**

**"10-11A-2. DEFINITIONS. -- As used in the Volunteer
Firefighters Retirement Act:**

**A. "association" means the public employees
retirement association;**

**B. "board" means the retirement board of the public
employees retirement association;**

underscored material = new
[bracketed material] = delete

1 C. "fire department" means any volunteer fire
2 department certified by the [state] fire [~~marshal's office~~]
3 marshal bureau of the insurance division of the public
4 regulation commission;

5 D. "fund" means the volunteer firefighters
6 retirement fund; and

7 E. "member" means any volunteer nonsalaried
8 firefighter who is listed as an active member on the rolls of a
9 fire department and whose first year of service credit was
10 accumulated during or after the year he attained the age of
11 sixteen and no later than during the year in which he attained
12 the age of forty-five. [~~Excluded from membership is any~~
13 ~~volunteer nonsalaried firefighter who has been retired by or is~~
14 ~~receiving an annuity from any other retirement, pension or~~
15 ~~annuity plan created and established by the state or any of its~~
16 ~~political subdivisions, except the state police pension fund~~
17 ~~established under the provisions of Sections 29-4-1 through~~
18 ~~29-4-11 NMSA 1978.]"~~